



# Commission Agenda Report

To: Chair Peak and Members of the Planning Commission

Prepared by: Raneika Brooks, Senior Planner

Approved by: Richard Mollica, Planning Director

Date prepared: August 24, 2023 Meeting date: September 05, 2023

Subject: Administrative Coastal Development Permit No. 22-026 – An application to install a new water well for future domestic, irrigation, and fire protection uses on a vacant parcel

Location: 28462 Via Acero Street, partially within the appealable coastal zone

APN: 4467-033-019

Owner: Jagora, LLC

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**RECOMMENDED ACTION:** Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 22-026.

**DISCUSSION:** This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.13, the Planning Director shall report in writing to the Planning Commission any administrative coastal development permits that were approved by the City of Malibu. If the majority of the Planning Commissioners present so request, the issuance of an administrative coastal development permit shall not become effective, but shall, if the applicant wishes to pursue the application, be treated as a regular coastal development permit application under LIP Section 13.6, subject to the provisions for hearing and appeal set forth in LIP Sections 13.11 and 13.12.

## **Local Implementation Plan Sections 13.13 and 13.29 (Administrative Permits Applicability)**

The Planning Director may process administrative permits if: 1) the proposed project is not appealable as defined in LCP LIP Chapter 2; 2) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; (e) water

wells; (f) driveways or access road improvements required by the fire department to improve access to properties damaged or destroyed as part of the Woolsey Fire that do not meet the criteria for a de minimis waiver; (g) attached or detached second dwelling units; or (h) replacement of a failed onsite wastewater treatment system (OWTS) or an upgrade to an existing OWTS. Notwithstanding any other provisions of the LCP, attached or detached second dwelling units shall be processed as administrative permits, except that the approval of such permits shall be appealable to the Coastal Commission if the project is located in the appealable zone.

### **Permit Issuance and Local Appeal Period**

On August 29, 2023, the Planning Director will issue the administrative coastal development permit thus beginning the appeal period. The appeal period will begin on August 30, 2023 and end on September 08, 2023. In addition, since this project is partially located within the Appealable Jurisdiction of the California Coastal Commission as depicted on the Post- LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu, the project is appealable to the California Coastal Commission.

The project is more specifically described in the Planning Director's decision attached hereto.

PUBLIC NOTICE: A Notice of Application and Notice of Decision were mailed to property owners and occupants within a 500-foot radius of the subject property.

ATTACHMENT: Administrative Coastal Development Permit No. 22-026



# City of Malibu

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## PLANNING DEPARTMENT

# **ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT**

### **Administrative Coastal Development Permit No. 22-026**

Categorical Exemption No. 23-001

28462 Via Acero Street

APN 4467-033-019

**NOTICE IS HEREBY GIVEN** that the City of Malibu has **APPROVED** an application from property owners, Jagora, LLC, for an administrative coastal development permit (ACDP) for the installation of a new water well for future domestic, irrigation and fire protection uses on a vacant parcel located at 28462 Via Acero Street. The subject parcel is zoned Rural Residential – 5 Acres (RR-5) and the proposed development is not located within the Appealable Jurisdiction of the California Coastal Commission (CCC) as depicted on the Post-Local Coastal Program (LCP) Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

#### ***Project Description***

The proposed project includes drilling a water well, and the associated installation of a casing and sanitary seal, encased in a new 49 square foot concrete cap to provide potable water for a new single-family residence proposed in Coastal Development Permit No. 21-010. One alternative test well location has been identified for drilling since the availability of an adequate water supply cannot be determined without drilling test wells. Only one test well site will be developed into a water well and the final layout of the proposed single-residence is contingent on the developed water well location. The water well will be completely underground except for the 30-inch tall, 4 ½-inch diameter standpipe and the 6-inch high concrete cap. (Attachment 1 – Project Plans).

A portion of the subject property is designated as environmentally sensitive habitat area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. The two proposed test well locations are located outside of the ESHA and ESHA buffer and are readily accessible from Via Acero Street, so neither brush clearance nor grading in ESHA is required to test the well locations or to complete the well installation. The City Biologist reviewed and approved the project after it was determined that the project does not impact ESHA and does not require an Environmental Review Board review. The project is conditioned so that no grading or vegetation removal shall occur for access to the drill site, and no development or site disturbance is permitted, except for the well drilling and installation.

The development of the water well is necessary to obtain water for domestic, irrigation, and fire protection uses because Los Angeles County Waterworks District 29 (WD29) cannot provide water service to the subject property. Pursuant to the February 9, 2022 letter from WD29 to the property owner, WD29 is unable to provide water service to the subject property due to the parcel elevation being higher than the elevation that can be adequately served by the existing pressure zone (Attachment 2 - Department Review Sheets).

The applicant has submitted an approved water well work plan from the Los Angeles County Department of Drinking Water and Land Use Program for the installation of the water well (Attachment 3).

***Administrative Permits Applicability (LIP Sections 13.13 and 13.29)***

The Planning Director may process ACDPs if: 1) the proposed project is not appealable as defined in LIP Chapter 2; 2) the project is for any of the uses specified (a) improvements to any existing structure, (b) any single-family dwelling, (c) lot mergers, (d) any development of four dwelling units or less that does not require demolition and any other developments not in excess of \$100,000.00, other than any division of land; 3) water wells; and 4) OWTS.

The project consists of a water well, and the proposed project is not located within the Appealable Jurisdiction as depicted on the Post-LCP Certification and Appeal Jurisdiction Map or in the CCC’s continuing jurisdiction. Therefore, pursuant to LIP Section 13.29.1, the project can be processed administratively.

***Project Background***

Administrative Coastal Development Permit Application

- Application Date: May 26, 2022
- Posting of Property: October 17, 2022
- Completeness Determination: October 28, 2022
- Notice of Application Mailer (Attachment 2): August 10, 2023
- Notice of Decision Mailer (Attachment 2): August 24, 2023
- Issuance of ACDP: August 29, 2023
- Planning Commission Reporting: September 5, 2023
- Appeal Period: August 30, 2023 through September 8, 2023

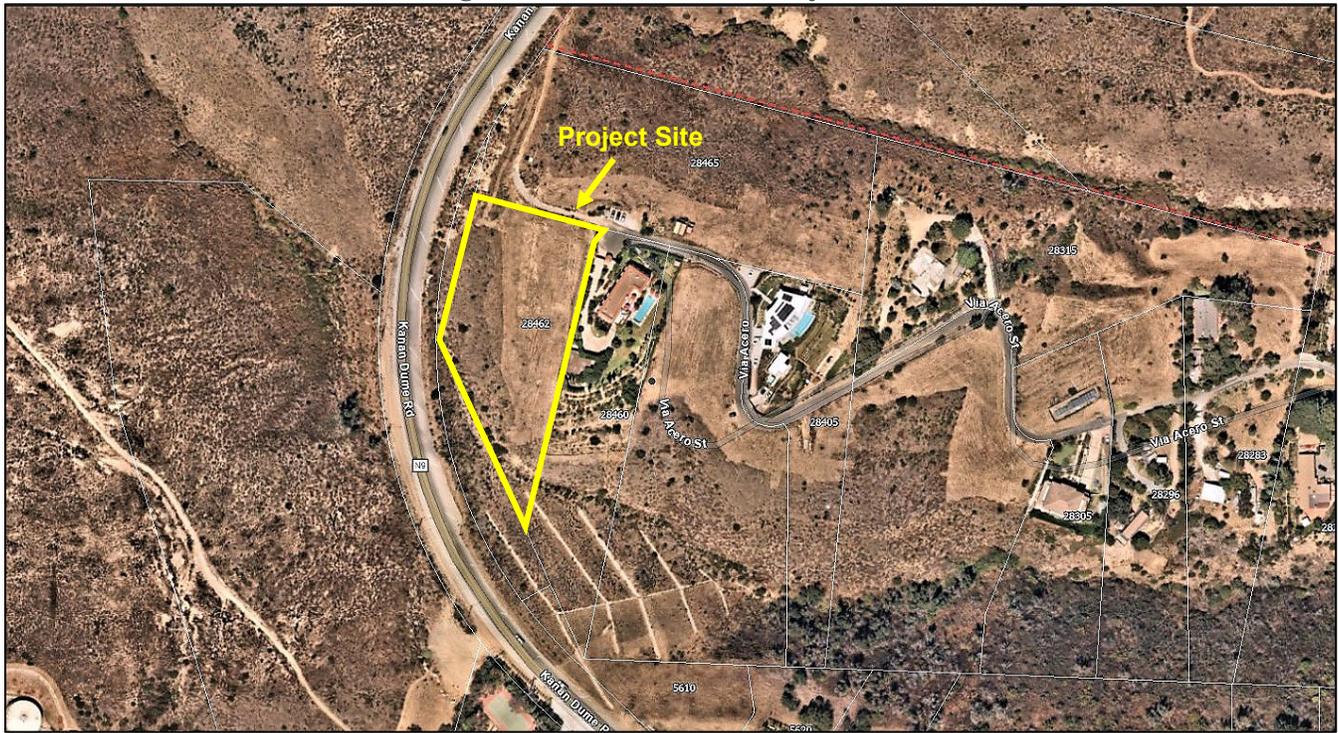
***Surrounding Land Uses and Project Setting***

As shown in Figure 1, the subject parcel is an inland parcel surrounded primarily by vacant land to the north and west, and one- and two-story residential development to south and east. The median property dimensions and gross lot area are as follows:

- 396 feet, deep;
- 221 feet, wide; and
- 86,868 square feet in size (1.99 acres).

Per the LCP Park Lands Map, there are no trails in the vicinity of the subject lot.

**Figure 1 – Aerial Photo of Project Site**



Source: City of Malibu GIS, 2023

### ***California Environmental Quality Act***

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Department has analyzed the proposed project. The Planning Department has found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment and categorically exempt from the provisions of CEQA according to CEQA Guidelines Section 15303(d) – New Construction or Conversion of Small Structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2).

### ***LCP Analysis***

The LCP consists of a Land Use Plan (LUP) and LIP. The LUP contains programs and policies to implement the Coastal Act in the City of Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific policies and regulations to which every project requiring a coastal development permit must adhere.

There are 14 sections within the LIP chapters that potentially require conformance review and specific findings to be made, depending on the nature and location of the proposed project. Of these 14, five are for conformance review only and require no findings. These sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and Onsite Wastewater Treatment Systems, and are discussed in the LIP Conformance Analysis section.

The remaining nine sections that potentially require specific findings to be made are found in the following LIP chapters: 1) CDP Findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. Of these nine, only General CDP, findings apply to the project. Consistency review with these sections is discussed later in the Administrative Coastal Development Permit Findings LIP section below.

### ***LIP Conformance Analysis***

The proposed project has been reviewed by Planning Department, City biological staff, City Environmental Health Administrator, City geotechnical staff, and the City Public Works Department for conformance with the LCP. Since the project does not include the development of a new residence, or modifications to an existing residence, the Los Angeles County Fire Department (LACFD) did not provide a formal review of the project because. The review sheets are attached hereto as Attachment 2. The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals and policies.

#### **Zoning (LIP Chapter 3)**

Development standards are contained in LIP Chapter 3. Pursuant to LIP Section 3.5.3(B)(6), underground structures may not be closer than five feet from lot lines provided that such structure does not exceed two feet, six inches in height above adjacent. The water well will be underground and not closer than five feet from any lot line. Therefore, the proposed water well will be in conformance with Chapter 3.

Conditions of approval have been applied to the project requiring approval from the Regional Water Quality Control Board (RWQCB) before water well construction. RWQCB and Public Works' approval for the proper disposal of initial startup water have also been required to protect water quality.

Land Phases prepared Limited Hydrogeologic Reports dated March 15, 2017 and April 12, 2017. The reports analyzed the potential impacts of a water well on groundwater supplies and on adjacent or nearby streams, springs, or seeps and their associated riparian habitat. According to the reports, the amount of water pumped from the water well is anticipated to be negligible and would not have an adverse impact on the local groundwater level or any streams. Therefore, as conditioned, the proposed project has been determined to be consistent with all applicable LCP and MMC codes, standards, goals, and policies.

#### **Grading (LIP Chapter 8)**

Minimal excavation is proposed to drill the proposed water well and the proposed excavation is considered exempt grading (understructure). Therefore, the project conforms to the grading requirements of LIP Section 8.3, which ensures that development minimizes the visual and resource impacts of grading and landform alteration.

#### **Archaeological / Cultural Resources (LIP Chapter 11)**

A Phase I Archaeological Report was prepared by Robert J. Wlodarski of H.E.A.R.T. in June of 2015 for the project site. No archaeological resources were found onsite during the Phase I on-foot investigation. The report concluded that there was no indication of prehistoric or historic archaeological resources within the project area. Staff determined that any proposed improvements within the project area will have no adverse impact on known cultural resources.

Nevertheless, a condition of approval is included in the resolution which states that in the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources, and until the Planning Director can review this information.

#### **Water Quality (LIP Chapter 17)**

The City Public Works Department has reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval require that prior to permit issuance, the applicant submits a Local Storm Water Pollution Prevention Plan and obtain applicable permits from the Regional

Water Quality Control Board. With the implementation of these conditions, the project conforms to the Water Quality Protection standards of LIP Chapter 17.

To address the effect of disposal of effluent from onsite wastewater systems (OWTS) into the subsurface in the vicinity of a Wodraska water well from a water quality perspective, the Malibu Plumbing Code requires that water wells be separated a minimum of 150 feet (horizontal) from the water well. The proposed project conforms with this requirement.

#### Wastewater Treatment System Standards (LIP Chapter 18)

The proposed project does not include the installation or modification of an OWTS. Therefore, LIP Chapter 18 does not apply.

#### ***Administrative Coastal Development Permit Findings***

The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP goals and policies with the inclusion of the site plan review. Based on the foregoing evidence contained within the record and pursuant to LIP Section 13.13, the Planning Director hereby makes the following findings of fact.

#### **A. General Coastal Development Permit (LIP Section 13.9)**

*Finding 1. The project as described in the application and accompanying materials, and as modified by any conditions of approval, conforms to the certified City of Malibu Local Coastal Program.*

The proposed project has been reviewed for conformance with the LCP and, as conditioned, conforms to the LCP. LUP Policy 5.47 states that new water wells shall minimize individual and cumulative impacts on groundwater, streams, springs, or seeps, and their associated riparian habitats. In accordance with LIP Section 13.6.4(J), the applicant has submitted a hydrogeologic evaluation and a water well feasibility report from the project's geotechnical consultant stating that the amount of water to be utilized for the future single-family residence is not anticipated to significantly adversely affect the groundwater level and is considered negligible. City staff also conducted an onsite wastewater treatment system evaluation and confirmed the water well's compliance with the required setbacks from existing seepage pits and leach lines on neighboring properties. Therefore, the proposed development is not anticipated to have an adverse impact on the region, the groundwater level, natural spring activity, nearby streams, or the associated riparian habitat.

*Finding 2. If the project is located between the first public road and the sea, the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).*

The project is not located between the first public road and the sea. There are no known or planned trails onsite. Therefore, no potential project-related or cumulative impact on public access is anticipated to result from the project. The proposed project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

*Finding 3. The project is the least environmentally damaging alternative.*

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the proposed project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment as discussed later in this decision, and is categorically exempt from CEQA. The proposed project would not result in significant adverse effects on the environment, within the meaning of CEQA, and there are no further feasible alternatives that would further reduce any impacts on the environment.

The project consists of a new potable water well for future domestic, irrigation and fire protection uses on a vacant parcel. The project's geotechnical consultant has determined that the project will not result in significant adverse impacts to groundwater levels, undisturbed areas or nearby streams. The proposed water well can be relocated elsewhere on the subject parcel; however, the alternate locations would likely require clearing and/or grading in the ESHA. Should the proposed water well location fail to produce water, the applicant may propose an alternative location that complies with the required setbacks. The alternative well location is subject to review and approval by the Planning Director and the Environmental Sustainability Department prior to the issuance of permit.

The proposed project does not include any new development, grading, brush clearance, landscaping or irrigation and the proposed scope of work has been reviewed and conditionally approved by the City Environmental Health Administrator, City biological staff, City geotechnical staff, and the City's Public Works Department, and meets the City's applicable LCP codes, standards, goals and policies. Therefore, the project, as proposed, is the least environmentally damaging alternative.

*Finding 4. The project is not located in or adjacent to an environmentally sensitive habitat area (ESHA) pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay).*

The subject property is in a designated ESHA, or ESHA buffer, as shown on the LCP ESHA and Marine Resources Map. According to the Biological Assessment prepared by Greg Ainsworth in November 20, 2020, the proposed drill sites are located outside of the ESHA buffer area and are unlikely to affect ESHA. The City biological staff reviewed the proposed project, and determined that the project as conditioned does not have the potential to impact ESHA, therefore Environmental Review Board (ERB) review was not required. No grading or vegetation removal shall occur for the access to the drill site, and the drill sites are located in existing disturbed areas. With the exception of well drilling and installation, no other development or site disturbance is permitted. Furthermore, no additional fuel modification is required as a result of the proposed project. Therefore, this finding does not apply.

**B. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)**

The subject property is in a designated ESHA, or ESHA buffer, as shown on the LCP ESHA and Marine Resources Map. According to the Greg Ainsworth in November 20, 2020, the proposed drill sites are on the existing road and highly unlikely to affect ESHA. The City biological staff reviewed the proposed project, and determined that the project as conditioned does not have the potential to impact ESHA, therefore ERB review was not required. No grading or vegetation removal shall occur for the access to the drill site, and the drill sites are located outside of the ESHA buffer area. With the exception of well drilling and installation, no other development or site disturbance is permitted. Furthermore, no additional fuel modification is required as a result of the proposed project. Therefore, the findings in LIP Chapter 4 are not applicable

**C. Native Tree Protection (LIP Chapter 5)**

There are no native trees on or adjacent to the subject parcel. Therefore, the findings of LIP Chapter 5 are not applicable.

**D. Scenic, Visual and Hillside Resource Protection (LIP Chapter 6)**

The Scenic, Visual, and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The subject parcel is located east of and is partially visible from Kanan Dume Road, a LUP-designated scenic highway. However, the proposed water well will be completely underground with negligible above-ground equipment, and therefore, will not be visible from these public scenic areas. Therefore, the findings in LIP Chapter 6 are not applicable.

**E. Transfer of Development Credits (LIP Chapter 7)**

According to LIP Section 7.2, transfer of development credits only applies to land divisions and multi-family development in specified zones. The proposed project does not include a land division or multi-family development. Therefore, LIP Chapter 7 does not apply.

**F. Hazards (LIP Chapter 9)**

The project consists of the construction of a water well. The project is not anticipated to result in potentially significant adverse impacts on site stability or structural integrity. Therefore, the findings of LIP Chapter 7 are not applicable.

**G. Shoreline and Bluff Development (LIP Chapter 10)**

LIP Chapter 10 applies to land that is located on or along the shoreline, a coastal bluff or bluff top fronting the shoreline. The proposed project is not located near the shore. Therefore, LIP Chapter 10 does not apply.

**H. Public Access (LIP Chapter 12)**

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access. The subject parcel is not located along the shore. There are no proposed or existing public trails on or adjacent to the subject property as shown on the LCP Park Lands Map. Therefore, LIP Chapter 12 does not apply.

**I. Land Divisions (LIP Chapter 15)**

The project does not include any land division. Therefore, LIP Chapter 15 is not applicable.

**APPROVAL OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 22-026**

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves Administrative Coastal Development Permit No. 22-026, subject to the conditions of approval.

**Conditions of Approval**

*Standard Conditions*

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.
2. Approval of this application is to allow for the project described herein. The scope of work includes drilling and casing for the construction of a water well to extract potable water for domestic, irrigation and fire protection uses. The water well will be completely underground when completed.
3. Should the proposed water well location fail to produce water, the applicant may propose an alternative location that complies with the required setbacks. The alternative well location is subject to review and approval by the City of Malibu Planning Director, the City of Malibu Environmental Sustainability Department, and the Los Angeles County Environmental Health Department prior to the issuance of a permit.

4. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial conformance with the approved scope of work, as described in Condition No. 2 and depicted on plans on file with the Planning Department date stamped **January 7, 2021**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. In the event project plans conflict with any condition of approval, the condition shall take precedence.
5. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs, notarizes, and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.
6. The applicant shall digitally submit a complete set of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.
7. This decision, signed Affidavit of Acceptance of Conditions, and all attached Department Review Sheets shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the Building Safety Division for plan check.
8. The ACDP shall be expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.
9. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
10. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Biologist, City Coastal Engineer, City Environmental Health Administrator, City geotechnical staff, City Public Works Department, Los Angeles County Waterworks District No. 29, LACFD, and the Los Angeles County Department of Public Health as applicable. Notwithstanding this review, all required permits shall be secured.
11. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.
12. This permit shall not become effective until the project is reported to the Planning Commission, pursuant to LIP Section 13.13.6.
13. Pursuant to LIP Section 13.20, development pursuant to an approved ACDP shall not commence until the administrative coastal development permit is effective. The ACDP is not effective until all appeals have been exhausted.
14. The property owner shall comply with all provisions of the MMC and LIP.

*Cultural Resources*

15. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.
16. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

#### *Site Specific Conditions*

17. This approval is only for the water well drilling and installation only and does not constitute approval for any other development or activities on the site. Minor adjustments to the location of the water well may be permitted providing the setbacks from property lines, ESHA, offsite septic systems and other offsite structures are maintained, and the relocation is consistent with all development standards.
18. Prior to issuance of building or grading or excavation permits, the applicant shall provide the Planning Department with a copy of a well yield test permit from the Los Angeles County Department of Public Health.
19. If the water well is excavated and found not to satisfy the requirements of potable water to serve property for domestic, irrigation and fire protection purposes, the water well shall be properly restored and abandoned, as instructed by the Los Angeles County Department of Public Health.

#### *Biology*

20. No grading or vegetation removal shall occur for the access to the drill sites.
21. With the exception of well drilling and installation, no other development or site disturbance is permitted.
22. No new landscaping is proposed with this project; therefore, none is approved.

#### *Environmental Health*

23. Final City of Malibu Environmental Health approval of the water supply well is required.
24. Prior to the City of Malibu Environmental Health approval, the applicant shall demonstrate Los Angeles County Department of Public Health approval of the well for water supply yield and water quality requirements.

#### *Geology*

25. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction.

26. The Malibu Plumbing Code requires water wells to be separated from seepage pits a minimum of 150 feet (horizontal).

*Public Works*

27. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.
28. Prior to issuance of any permits, the applicant shall obtain all applicable permits from the Regional Water Quality Control Board for the discharge of non-polluted groundwater to surface waters. The applicant shall not discharge any water generated during the development of the proposed water well. If the operations of the proposed water well do not require discharging the startup water onto the surface, the applicant must provide a permit or certified copy from the receiving authority granting the applicant's disposal water. The applicant shall submit the manifest prior to final inspection.
29. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to the issuance of grading/building permits. This plan shall include and Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

Erosion Controls Scheduling	Erosion Controls Scheduling
	Preservation of Existing Vegetation
Sediment Controls Silt Fence	Sediment Controls Silt Fence
	Sand Bag Barrier
	Stabilized Construction Entrance
Non-Storm Water Management	Water Conservation Practices
	Dewatering Operations
Waste Management	Material Delivery and Storage
	Stockpile Management
	Spill Prevention and Control
	Solid Waste Management
	Concrete Waste Management
	Sanitary/Septic Waste Management

All BMPs shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

*Construction / Framing*

30. Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.
31. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires will be rinsed off prior to leaving the property.
32. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All

trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires rinsed prior to leaving the property.

*Fixed Conditions*

- 33. This ACDP runs with the land and binds all future owners of the property.
- 34. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

*Appeals and Reporting*

LOCAL APPEAL - A decision of the Planning Director may be appealed to the Planning Commission by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk by **September 8, 2023** and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeals shall be emailed to [psalazar@malibucity.org](mailto:psalazar@malibucity.org) and the filing fee shall be mailed to Malibu Planning Department, attention: Patricia Salazar, 23825 Stuart Ranch Road, Malibu, CA 90265. Payment must be received within 10 days of the appeal deadline. Appeal forms may be found online at [www.malibucity.org/planningforms](http://www.malibucity.org/planningforms). If you are unable to submit your appeal online, please contact Patricia Salazar by calling (310) 456-2489, extension 245, at least two business days before your appeal deadline to arrange alternative delivery of the appeal.

REPORTING – Pursuant to LIP Section 13.13.6, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **September 8, 2023** Regular Planning Commission meeting. Copies of this report will be available [www.malibucity.org/agendacenter](http://www.malibucity.org/agendacenter) and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Raneika Brooks in the Planning Department at (310) 456-2489, extension 276, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: August 29, 2023

Prepared by:

*Raneika Brooks*

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Raneika Brooks  
Senior Planner

Approved by:

*Richard Mollica*

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Richard Mollica  
Planning Director

Attachments:

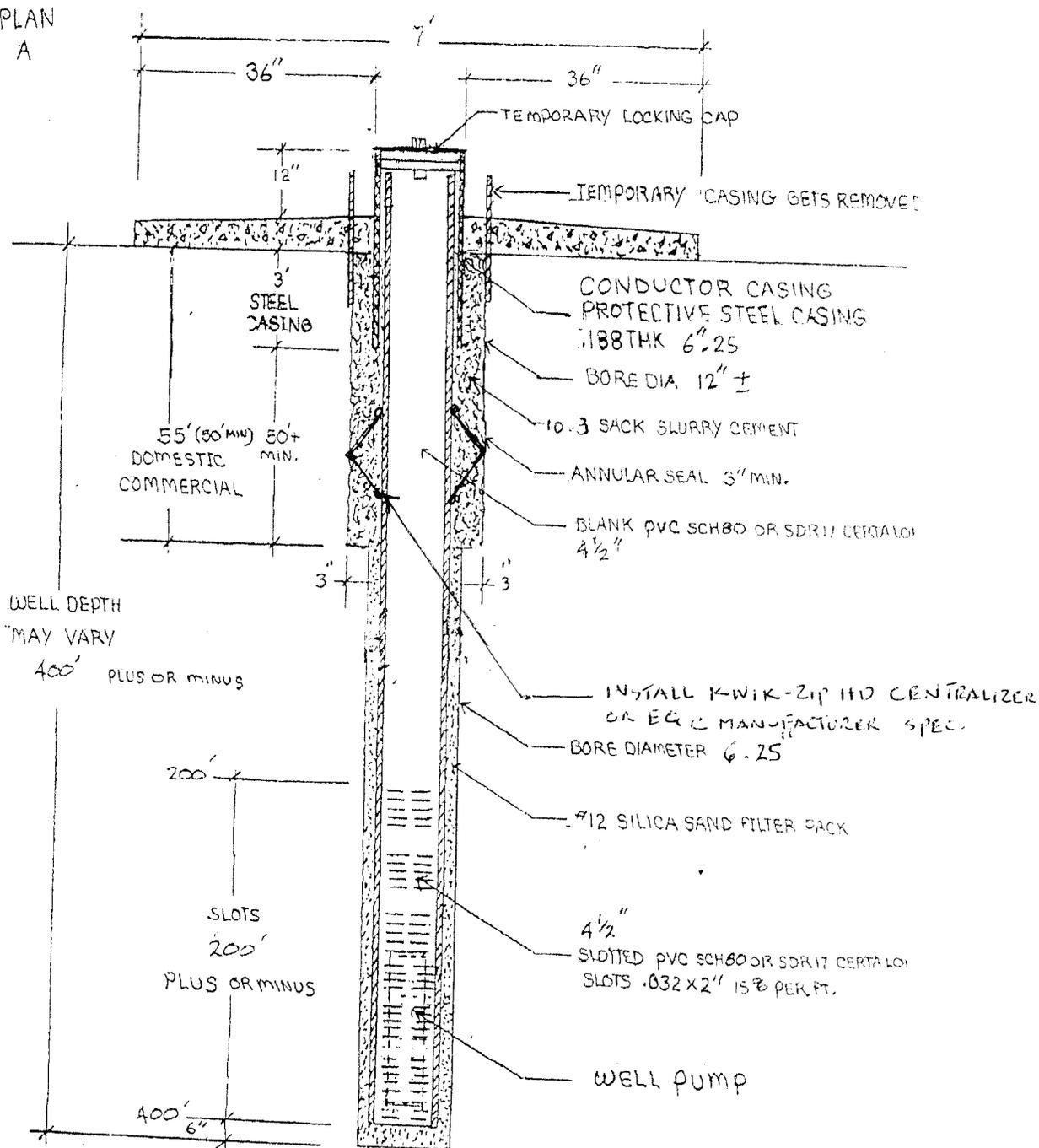
1. Project Plans
2. Los Angeles County Land Use Program Well Permit
3. Department Review Sheets
4. Notices

*All referenced City Council and Planning Commission records are available for review at <http://www.malibucity.org/onbase>.*





PLAN  
A



AIR ROTARY

NO SCALE

LOS ANGELES COUNTY  
WELL CONSTRUCTION

28462 VIA ACERO  
MALIBU, CA 90265  
5.25.22



# ENVIRONMENTAL HEALTH

## Drinking Water Program



5050 Commerce Drive, Baldwin Park, CA 91706

Telephone: (626) 430-5420 • Facsimile: (626) 813-3013 • Email: [waterquality@ph.lacounty.gov](mailto:waterquality@ph.lacounty.gov)

[http://publichealth.lacounty.gov/eh/ep/dw/dw\\_main.htm](http://publichealth.lacounty.gov/eh/ep/dw/dw_main.htm)

**SR0293143**

**28462 Via Acero Street, Malibu, CA 90265**

**Work Plan Approval**

WORK SITE ADDRESS	CITY	ZIP	EMAIL ADDRESS FOR WELL PERMIT APPROVAL
28462 Via Acero Street	Malibu	90265	<a href="mailto:taftcorporation@gmail.com">taftcorporation@gmail.com</a>

**NOTICE:**

- WORK PLAN APPROVALS ARE VALID FOR 180 DAYS. 30 DAY EXTENSIONS OF WORK PLAN APPROVALS ARE CONSIDERED ON AN INDIVIDUAL (CASE-BY-CASE) BASIS AND MAY BE SUBJECT TO ADDITIONAL PLAN REVIEW FEES (HOURLY RATE AS APPLICABLE).
- WORK PLAN MODIFICATIONS MAY BE REQUIRED IF WELL AND GEOLOGIC CONDITIONS ENCOUNTERED AT THE SITE INSPECTION ARE FOUND TO DIFFER FROM THE SCOPE OF WORK PRESENTED TO THE DEPARTMENT OF PUBLIC HEALTH—DRINKING WATER PROGRAM.
- WORK PLAN APPROVALS ARE LIMITED TO COMPLIANCE WITH THE CALIFORNIA WELL STANDARDS AND THE LOS ANGELES COUNTY CODE AND DOES NOT GRANT ANY RIGHTS TO CONSTRUCT, RENOVATE, OR DECOMMISSION ANY WELL. THE APPLICANT IS RESPONSIBLE FOR SECURING ALL OTHER NECESSARY PERMITS SUCH AS WATER RIGHTS, PROPERTY RIGHTS, COASTAL COMMISSION APPROVALS, USE COVENANTS, ENCROACHMENT PERMISSIONS, UTILITY LINE SETBACKS, CITY/COUNTY PUBLIC WORKS RIGHTS OF WAY, ETC.
- THIS PERMIT IS NOT COMPLETE UNTIL ALL OF THE FOLLOWING REQUIREMENTS ARE SIGNED BY THE DEPUTY HEALTH OFFICER. WORK SHALL NOT BE INITIATED WITHOUT A WORK PLAN APPROVAL STAMPED BY THE DEPARTMENT OF PUBLIC HEALTH—DRINKING WATER PROGRAM.
- **ONCE APPROVED NOTIFY INSPECTOR AT [ytaye@ph.lacounty.gov](mailto:ytaye@ph.lacounty.gov) PREFERABLY 3 BUSINESS DAYS BEFORE WORK IS SCHEDULED TO BEGIN.**

TO BE COMPLETED BY DEPARTMENT OF PUBLIC HEALTH—DRINKING WATER PROGRAM:

**WORK PLAN APPROVED (1 Residential Water Well Construction)**

**DATE: August 17, 2022**

**ADDITIONAL APPROVAL CONDITIONS:**

- Well drilling or construction shall not start before a final Coastal Development Permit is obtained from the City of Malibu.
- Work plan approval is issued for scope of work submitted to the Drinking Water Program. Any modifications to the scope of work will require additional work plan review.
- Ensure to backfill using a tremie pipe or equivalent, proceeding upward from the bottom of the boring.
- The construction/destruction of wells must comply with all applicable requirements published in the [California Well Standards \(Bulletins 74-81 and 74-90\)](#), [Los Angeles County Code](#) and all other applicable laws.
- Submit well completion report/log to [ytaye@ph.lacounty.gov](mailto:ytaye@ph.lacounty.gov) within 30 days from the date its construction/destruction is completed.
- Drillers shall submit their well completion reports to the Department of Water Resources through the Online System of Well Completion Reports (OSWCR) at [https://civicnet.resources.ca.gov/DWR\\_WELLS](https://civicnet.resources.ca.gov/DWR_WELLS).



REHS NO. 7115

*Yonas Taye*

Yonas Taye, REHS

ANNULAR SEAL FINAL INSPECTION REQUIRED

WELL COMPLETION LOG REQUIRED

DATE ACCEPTED: REHS signature

DATE ACCEPTED: REHS signature

WATER QUALITY—BACTERIOLOGICAL STANDARDS REQUIRED

WATER QUALITY—CHEMICAL STANDARDS REQUIRED

DATE ACCEPTED: REHS signature

DATE ACCEPTED: REHS signature

WATER SUPPLY YIELD REQUIRED

OTHER REQUIREMENT

DATE ACCEPTED: REHS signature

DATE ACCEPTED: REHS signature

**From:** [Taft Corporation](#)  
**To:** [Raneika Brooks](#)  
**Subject:** Fwd: Extension Granted due to final Coastal Development Permit not obtained from the City of Malibu  
**Date:** Thursday, July 13, 2023 10:41:53 AM

---

Good morning Raneika

This is the extension of the Well Work Plan. Please schedule this for Richard's signature and PC schedule before losing another extension. It has been more than 1 year to get a well permit.

Thanks

*[Kamyar Lashgari](#)*

Taft Corporation  
28405 Via Acero  
Malibu, CA 90265  
Tel: (310) 437-9190  
Cell: (213) 268-3468

----- Forwarded message -----

**From:** **Abraham Santos** <[AbSantos@ph.lacounty.gov](mailto:AbSantos@ph.lacounty.gov)>  
**Date:** Thu, Jul 13, 2023 at 10:10 AM  
**Subject:** Extension Granted due to final Coastal Development Permit not obtained from the City of Malibu  
**To:** [taftcorporation@gmail.com](mailto:taftcorporation@gmail.com) <[taftcorporation@gmail.com](mailto:taftcorporation@gmail.com)>

Good Morning,

An extension for an additional 180 day from today's date 07/13/2023 was granted due to a final Coastal Development Permit that has not yet been obtained from the City of Malibu.

Appreciate your time,

Abraham Santos

REHS Environmental Health Specialist III

Drinking Water Program

Environmental Health Protection Division

Los Angeles County Department of Public Health

(626) 430-5420

(323) 440 - 4886

E-mail: [absantos@ph.lacounty.gov](mailto:absantos@ph.lacounty.gov)



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# City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804  
(310) 456-2489 FAX (310) 456-7650

## BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist

FROM: City of Malibu Planning Department DATE: 07/11/2022

PROJECT NUMBER: ACDP 22-026

JOB ADDRESS: 28462 VIA ACERO ST

APPLICANT / CONTACT: Jagora LLC

APPLICANT ADDRESS: 28405 Via Acero St.  
Malibu, CA 90265

APPLICANT PHONE #: (213)268-3468

APPLICANT FAX #: \_\_\_\_\_

APPLICANT EMAIL: taftcorporation@gmail.com

PLANNER: Raneika Brooks

PROJECT DESCRIPTION: Water well

---

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

The project review package is **INCOMPLETE** and; **CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design** (See Attached).

X The project is **APPROVED**, consistent with City Goals & Policies associated with the protection of biological resources and **CAN** proceed through the Planning process.

The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore **Requires Review** by the Environmental Review Board (ERB).

*Courtney McCammon*  
Signature

9/14/22  
Date

Additional requirements/conditions may be imposed upon review of plan revision

**Contact Information:**

Courtney McCammon, City Biologist, [biology@malibucity.org](mailto:biology@malibucity.org), (310) 456-2489, extension 277



# City of Malibu

Biology • Planning Department  
 23825 Stuart Ranch Road • Malibu, California • 90265-4861  
 Phone (310) 456-2489 • Fax (310) 456-3356 • [www.malibucity.org](http://www.malibucity.org)

## BIOLOGY REVIEW SHEET

### PROJECT INFORMATION

Applicant: (name and email)	Jagora LLC taftcorporation@gmail.com	
Project Address:	28462 VIA ACERO ST Malibu, CA 90265	
Planning Case No.:	ACDP 22-026	
Project Description:	Water well	
Date of Review:	September 14, 2022	
Reviewer:	Courtney McCammon	Signature: 
Contact Information:	Phone: (310) 456-2489 ext 277	Email: <a href="mailto:biology@malibucity.org">biology@malibucity.org</a>

### SUBMITTAL INFORMATION

Site Plan:	9/13/22
Site Survey:	9/13/22
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	

### REVIEW FINDINGS

Review Status:	<input type="checkbox"/>	<b><u>INCOMPLETE:</u></b> Additional information and/or a response to the listed review comments is required.
	<input checked="" type="checkbox"/>	<b><u>APPROVED:</u></b> The project has been approved with regards to biological impacts.
	<input type="checkbox"/>	<b><u>CANNOT APPROVE AS SUBMITTED:</u></b> The proposed project does not conform to the requirements of the MMC and/or LCP.
	<input type="checkbox"/>	<b><u>ERB:</u></b> This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4



**DISCUSSION:**

1. The proposed water tanks are wholly sited within the irrigated fuel modification zones for the proposed residence and will not increase the overall fuel modification zone for the property.
2. The following Biology Review is for the proposed water tanks only. All previously identified biological conditions for the proposed residence remain in effect.

**RECOMMENDATIONS:**

1. The project is recommended for **APPROVAL** with the following conditions:
  - A. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six feet in height, or change 500/2,500 square feet or more (new residence/existing residence) of the existing landscaping area, a detailed landscape plan shall be submitted for review and approval prior to any planting.
  - B. Grading shall be scheduled only during the dry season from April 1 - October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.
  - C. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.
3. **ERB REQUIRED**

Pursuant to LIP Section 4.4.4, the proposed project will require review by the Environmental Review Board (ERB) as it has the potential to impact special status biological resources.

**-00-**

If you have any questions regarding the above requirements, please contact the City Biologist office at your earliest convenience.

cc: Planning Project file  
Planning Department



# City of Malibu

Environmental Health • Environmental Sustainability Department  
 23825 Stuart Ranch Road · Malibu, California · 90265-4861  
 Phone (310) 456-2489 · Fax (310) 456-7650 · [www.malibucity.org](http://www.malibucity.org)

## ENVIRONMENTAL HEALTH REVIEW SHEET

### PROJECT INFORMATION

Applicant: (name and email address)	Kamyar Lashgari <a href="mailto:taftcorporation@gmail.com">taftcorporation@gmail.com</a>	
Project Address:	28462 Via Acero Street Malibu, California 90265	
Planning Case No.:	CDP 22-026	
Project Description:	Water Well	
Date of Review:	August 31, 2022	
Reviewer:	Paolo Quinto	Signature: <i>Paolo Quinto</i>
Contact Information:	Phone: (310) 456-2489 ext.364	Email: <a href="mailto:pquinto@malibucity.org">pquinto@malibucity.org</a>

### SUBMITTAL INFORMATION

Architectural Plans:	Zoka enterprises, Inc.: Plans dated 5-3-21 (received 7-11-22)
Grading Plans:	
OWTS Plan:	
OWTS Report:	
Geology Report:	Land Phases: Addendum Hydrogeologic Report #1, Proposed Water Well dated 8-16-2022
Miscellaneous:	
Previous Reviews:	Land Phases: Report of Supplemental Hydrogeologic Study, Proposed Water dated 5-25-2022

### REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	<b>CONFORMANCE REVIEW COMPLETE</b> for the City of Malibu Local Coastal Program (LCP)/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	<b>CONFORMANCE REVIEW INCOMPLETE</b> for the City of Malibu LCP/LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	<input type="checkbox"/>	<b>NOT REQUIRED</b>
	<input type="checkbox"/>	<b>REQUIRED (attached hereto)</b> <input checked="" type="checkbox"/> <b>REQUIRED (not attached)</b>

Environmental Health **conformance review** has been completed for the development proposal described in the project description provided by the Planning Department and the project plans and reports submitted to this office. Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.

The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the project. In order to obtain Environmental Health final approval of the OWTS Plot Plan and project construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.



**Conditions of Planning Conformance Review:**

- 1) Final City of Malibu Environmental Health approval of the water supply well is required.
- 2) Prior to City of Malibu Environmental Health approval, the applicant shall demonstrate Los Angeles County Department of Public Health approval of the well for water supply yield and water quality requirements.

-o0o-

If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file  
Planning Department





# City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861  
(310) 456-2489 • Fax (310) 456-3356 • [www.malibucity.org](http://www.malibucity.org)

## GEOTECHNICAL REVIEW SHEET

<u>Project Information</u>		Review Log #:	4941
<b>Date:</b>	August 4, 2022	<b>Planning #:</b>	ACDP 22-026
<b>Site Address:</b>	28462 Via Acero Street	<b>BPC/GPC #:</b>	
<b>Lot/Tract/PM #:</b>	n/a	<b>Planner:</b>	Raneika Brooks
<b>Applicant/Contact:</b>	Kamyar Lashgari, <a href="mailto:taftcorporation@gmail.com">taftcorporation@gmail.com</a>		
<b>Contact Phone #:</b>	213-268-3468	<b>Fax#:</b>	
<b>Project Type:</b>	New water supply well		

<u>Submittal Information</u>	
<b>Consultant(s) / Report Date(s):</b> (Current submittal(s) in <b>Bold</b> .)	Land Phases, Inc. (Holt, CEG 2282, CHG 816): <b>5-25-2022</b> ; Ref: 4-20-2021, 11-11-2020 (for CDP 21-010)  <b>Water Plan Exhibit prepared by Zoka Enterprises dated May 3, 2021.</b>
<b>Previous Reviews:</b>	None; Ref: 6-17-2021, 3-26-2021); Environmental Health Review Sheet dated 4-7-2021 (for CDP 21-010)

<u>Review Findings</u>	
<b><u>Coastal Development Permit Review</u></b>	
<input checked="" type="checkbox"/>	The water supply well project is <b>ACCEPTABLE</b> from a geotechnical/hydrogeologic perspective. No further reviews are required.
<input type="checkbox"/>	The water supply well project is <b>NOT ACCEPTABLE</b> from a geotechnical/hydrogeologic perspective. The listed 'Review Comments' shall be addressed prior to acceptance.

### Remarks:

The referenced water plan and hydrogeologic report for the water supply well were reviewed by the City's geotechnical consultants from a geotechnical and hydrogeologic perspective. As per the Project Hydrogeologist, the well depth is anticipated to be over 400 feet below the ground surface (bgs) based on the location and elevation of the subject property.

This review evaluates the effects of disposing effluent from onsite wastewater treatment system (OWTS) into the subsurface in the vicinity of a water well from a water quality perspective. The Malibu Municipal Code requires water wells to be separated from seepage pits by a minimum of 150 feet (horizontal).

Based on the siting of the water supply well on the referenced plan and the siting of the proposed seepage pits for the Onsite Wastewater Treatment System, the setback between the well and seepage pits and treatment tank is over 150 feet (horizontal).

**Review Comments:**

No comments.

Please direct questions regarding this review sheet to the City’s geotechnical consultants listed below.

Engineering Geology Review by:  Christopher Dean, C.E.G. #1751, Exp. 9-30-2022 8-4-2022  
Engineering Geology Reviewer (408-656-3210) Date  
Email: [cdean@malibucity.org](mailto:cdean@malibucity.org)

Geotechnical Engineering Review by:  Matthew Janousek, G.E. #3005, Exp. 12-31-2022 8-4-2022  
Geotechnical Engineering Reviewer (805-370-8710) Date  
Email: [mjanousek@malibucity.org](mailto:mjanousek@malibucity.org)

*This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.*





# City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861  
(310) 456-2489 FAX (310) 456-7650

## PUBLIC WORKS REVIEW REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department

DATE: 07/11/2022

PROJECT NUMBER: ACDP 22-026  
JOB ADDRESS: 28462 VIA ACERO ST  
APPLICANT / CONTACT: Jagora LLC  
APPLICANT ADDRESS: 28405 Via Acero St.  
Malibu, CA 90265  
APPLICANT PHONE #: (213)268-3468  
APPLICANT FAX #: \_\_\_\_\_  
APPLICANT EMAIL: taftcorporation@gmail.com  
PROJECT DESCRIPTION: Water well

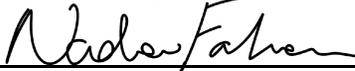
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TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

The following items described on the attached memorandum shall be addressed and resubmitted.

The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.



SIGNATURE

7/18/22

DATE



# City of Malibu

## MEMORANDUM

To: Planning Department

From: Public Works Department  
Nadia Fahoum EIT, Assistant Civil Engineer 6362 Sea Star Dr ACDP 19 - 010

Date: July 18, 2022

Re: Proposed Conditions of Approval for 28462 Via Acero St ACDP 22-026

---

The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

### MISCELLANEOUS

1. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

### COMMERCIAL DEVELOPMENT

2. WATER WELLS – Prior to the issuance of any permits, the applicant shall obtain applicable permits from the Regional Water Quality Control Board for the discharge of non-polluted ground water to surface waters. The applicant shall not discharge any water generated during the development of the proposed well. If the operations of the proposed water well do not require discharging the startup water onto the surface, the applicant must provide a permit or certified copy from the receiving authority granting the applicants disposal water. The applicant shall submit the manifest prior to final inspection.





MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

Received  
7/11/2022  
Planning Dept.

February 9, 2022

IN REPLY PLEASE  
REFER TO FILE: WW-3

Mr. Kamyar Lashgari  
28405 Via Acero  
Malibu, CA 90265

Dear Mr. Lashgari:

**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU  
WATER SERVICE TO 28462 VIA ACERO, MALIBU, CALIFORNIA 90265  
ASSESSOR PARCEL NO. 4467-033-019**

This is in response to your recent correspondence regarding water service from the Los Angeles County Waterworks District No. 29, Malibu, to Assessor Parcel No. 4467-033-019. The District is unable to provide water service for your project at this time as your parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Alternatively, you may propose a conceptual plan to extend the public water system to your property and submit this plan to the District for consideration. If the District accepts the conceptual plan, the applicant must finance the design and agree, in writing, to finance the construction of the new water system facilities in order for the District to issue a Will-Serve Letter for the proposed development.

If you have any questions, please contact Ms. Aracely Jaramillo, Waterworks Division, at (626) 300-3353 or [ajaramillo@pw.lacounty.gov](mailto:ajaramillo@pw.lacounty.gov).

Very truly yours,

MARK PESTRELLA, PE  
Director of Public Works

RUSS BRYDEN  
Assistant Deputy Director  
Waterworks Division

AJ:cg  
H:\WWHOME\Admin\Letters\2021\LR403.docx



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT  
FIRE PREVENTION DIVISION

Date: 05/09/2022

3/23/21

**REQUEST FOR MODIFICATIONS OR ALTERNATE MATERIALS AND METHODS REVIEW**

*Building Code Sections 104.2.7-Modifications and 104.2.8-Alternate Materials, Design, and Methods of Construction  
Fire Code Sections 104.8 – Modifications and 104.9 – Alternate Materials and Methods*

**SECTION 1 – APPLICANT**

**INSTRUCTION:** Applicants are Project Owners or Owner's designee (with written authorization from Project Ownership accompanying this form). Please complete SECTION 1 and submit this form and all supporting documents (building plans, calculations, specifications, test reports, etc.) to the applicable Fire Prevention Engineer or Fire Inspector for review of this document. An Alternate Materials and Methods Review fee is required upon submittal and prior to the review.

Project Address: 28462 Via Acero APN: 4467-033-019

City: Malibu Incorporated  Unincorporated Area

Owner: Jagora LLC Applicant's Name: Jim Jordan

Owner's Address: 28405 Via Acero, Malibu 90265

Applicant's Contact Phone Number: ( ) 818-268-1443 Applicant's Email: malibucaptain@roadrunner.com

Plan-check Number: FEPC2021-0264 Fire Prevention Office: Calabasas

Type of Construction: V-B Occupancy: SFR Stories: 1 Fire Sprinklered?  YES  NO

Is this referral for:

- Modifications  Alternate Materials  Alternate Methods of Construction or Protection

Project description:

Fire sprinklered 1 story SFR 4138 S.F. main, 900 S.F. accessory unit, 428 S.F. garage/basement  
5466 S.F. project total located on 2 acre lot

Modification Request - Explain the practical difficulties involved in carrying out the provisions of the Code and proposed application. -OR- Alternate Request - Explain the materials, designs, or methods of construction not specifically prescribed in the Code and proposed application. (Attach additional documents as necessary):

Provide 10,000 gallon water tank and 2 1/2" outlet in lieu of public fire hydrant.

LACoDPW Water District 29 is unable to provide required fire flow. See Will Not Serve letter on file. Tank to be supplied by on-site well certified by LACo Dept of Public Health.

Tank and outlet will comply with LACoFD specifications.

Applicable Code References: (List all applicable Code Sections)  
Section 104.9 provides for alternatives equivalent to those prescribed by the Code.

Justification – Demonstrate conformity and equivalence with that prescribed in the Code.  
(Attach additional documents as necessary):

LACoFD allows the installation of tank & outlet where a public fire hydrant cannot meet the required fire flow. This project is above the pressure zone of WD 29. The 15,000 gallon pool will also have a draft outlet complying with the Fire Code specifications.

**SECTION 2 – FIRE PREVENTION UNIT SUPERVISOR**

**INSTRUCTION:** Please verify Alternate Materials and Methods Review fee is paid. Ensure the submittal package is complete and all pertinent information is included. Complete SECTION 2 and forward this form and all supporting documents to the Section Chief.

Reviewed By: James Bailey Date: 5/11/22  
(print name)

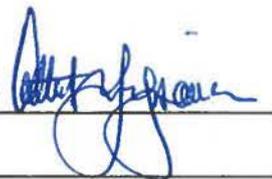
Comments: \_\_\_\_\_

**SECTION 3 – SECTION CHIEF**

Reviewed By: James Bailey James Bailey Date: 5/11/22  
(print name)

Comments: Recommend approval of aboveground tank with standard conditions

**SECTION 4 – FINAL DETERMINATION:** This request is:

**APPROVED** (Provide Conditions of Approval, if any) **APPROVED BY:** Al Yanagisawa  
(print name)   
 **NOT APPROVED** (Provide comments, if any) **NOT APPROVED BY:** \_\_\_\_\_  
(print name)

Comments: Approved with aboveground tank and standard conditions attached.

**IF APPROVED, ROUTE TO:** City Building Official, in the City of: \_\_\_\_\_

**SECTION 5 – USE**

**INSTRUCTION:** To Contractors: Conditions of approval must be incorporated into the plans by attachment to the plans or electronically scanned into future plan submissions. All Approvals must be presented to Department Inspectors at the time of the project inspection.

## 28462 VIA ACERO

### STANDARD CONDITIONS OF APPROVAL FOR RESIDENTIAL PROJECTS IN AREAS WITHOUT A WATER SUPPLY SYSTEM

1. Per Table B103.3, provide a minimum 10,000 gallon private on-site water storage tank. The tank may be supplied from a private on-site well that is certified sustainable by the Department of Public Health and meet all required health standards. The tank shall be installed in accordance with the following:
  - a. The tank shall have a connection to a supply source to refill the tank system automatically.
  - b. Where a well, pump, tank or combination thereof is the source of supply for the fire sprinkler system, the water supply shall serve both domestic and fire sprinkler systems.
  - c. Water tanks must be in good condition and constructed of steel, redwood, concrete or approved UV protected plastic.
  - d. When the tank's dimension in height is 1.5 times greater than the dimension of the tank's diameter, a building permit must be obtained from the jurisdictional building and safety office.
  - e. The storage tank must be installed, inspected, and accepted by the Fire Department and jurisdictional Building Department prior to any building permit being issued for the residence. Prior to installation of the tank(s), plans shall be submitted showing the underground line supplying the fire sprinkler system, pump, and interconnection of the tank(s) for review, and approval by the Fire Sprinkler Plan Check unit.
  - f. Multiple tanks, if used, shall be at the same approximate elevation, and interconnected at the bottom with minimum 4-inch piping in such a manner as to drain equally.
  - g. The water tank(s) shall be equipped with a low water alarm which is actuated when the water level falls below the minimum storage requirements for Department use. This alarm shall be audible at the residence.
  - h. The water tank low level alarm shall be permanently affixed to the tank and the level that the alarm sounds shall not be adjustable.
  - i. Tanks shall be located aboveground and shall have a visual sight gauge to indicate the water level in the tank.

2. Supply piping requirements:

- a. The hydrant connection shall be made a minimum of six inches above the bottom of the tank. The 6" measurement shall be measured from the tank base to the bottom of the supply pipe. A readily accessible indicating control valve shall be provided for this line at the tank.
- b. A minimum 4" piping shall be used to supply the hydrant.
- c. The pipe may be plastic, but only where buried. Pipe exposed to sunlight or above grade shall be protected metal.
- d. The depth of bury for underground pipe shall be a minimum of 30" with a minimum of 36" where subject to vehicular travel.
- e. Piping, thrust blocks, rodding, or approved retaining glands shall be provided per NFPA 13 and NFPA 24.
- f. Tanks shall be located on the subject property. Supply piping shall not cross property lines.

3. Hydrant requirements:

- a. A single 2½" male National Standard Thread outlet shall be provided whenever a tank is installed.
- b. The hydrant outlet shall have unobstructed access from the public road, be within five feet of the access roadway on the approach side of the structure and unobstructed within 15 feet on each side of the outlet.
- c. The hydrant outlet shall be between 50 and 150 feet from the closest point of the structure measured via vehicular access.
- d. The hydrant outlet shall be gravity fed. This outlet shall be a minimum of one-foot below the grade level of the tank for each 100 feet of supply pipe. This supply pipe must have a continuous downward gravity feed.
- e. The hydrant outlet shall be located 14 to 24 inches above finished grade as measured from the middle of the outlet.
- f. A three-foot square by one-foot thick horizontal concrete pad shall be provided at grade around the hydrant to provide stability to the hydrant during Department operations.

4. Provide an approved NFPA 13D interior automatic fire sprinkler system throughout the residence and in all concealed spaces in accordance with NFPA 13 with a maximum four head hydraulic calculation.



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 9, 2022

IN REPLY PLEASE  
REFER TO FILE: **WW-3**

Mr. Kamyar Lashgari  
28405 Via Acero  
Malibu, CA 90265

Dear Mr. Lashgari:

**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU  
WATER SERVICE TO 28462 VIA ACERO, MALIBU, CALIFORNIA 90265  
ASSESSOR PARCEL NO. 4467-033-019**

This is in response to your recent correspondence regarding water service from the Los Angeles County Waterworks District No. 29, Malibu, to Assessor Parcel No. 4467-033-019. The District is unable to provide water service for your project at this time as your parcel elevation is higher than the elevation that can be adequately served by the existing pressure zone.

Alternatively, you may propose a conceptual plan to extend the public water system to your property and submit this plan to the District for consideration. If the District accepts the conceptual plan, the applicant must finance the design and agree, in writing, to finance the construction of the new water system facilities in order for the District to issue a Will-Serve Letter for the proposed development.

If you have any questions, please contact Ms. Aracely Jaramillo, Waterworks Division, at (626) 300-3353 or [ajaramillo@pw.lacounty.gov](mailto:ajaramillo@pw.lacounty.gov).

Very truly yours,

MARK PESTRELLA, PE  
Director of Public Works

RUSS BRYDEN  
Assistant Deputy Director  
Waterworks Division

AJ:cg  
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City Of Malibu  
23825 Stuart Ranch Road  
Malibu, CA 90265  
Phone (310) 456-2489  
www.malibucity.org

**PLANNING DEPARTMENT  
NOTICE OF DECISION**



**NOTICE OF DECISION**

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

**ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 22-026** - An application to install a new water well for future domestic, irrigation, and fire protection uses on a vacant parcel

**LOCATION / APN / ZONING:** 28462 Via Acero St / 4467-033-019 / Rural Residential-Five Acre (RR-5)  
**APPLICANT / OWNER:** Jagora LLC  
**APPEALABLE TO:** Planning Commission  
**ENVIRONMENTAL REVIEW:** Categorical Exemption CEQA Guidelines Section 15303(d)  
**APPLICATION FILED:** May 26, 2022  
**ISSUE DATE:** August 29, 2023  
**CASE PLANNER:** Raneika Brooks, Senior Planner, rbrooks@malibucity.org  
(310) 456-2489, ext. 276

**REPORTING** - The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on September 5, 2023. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: <http://www.malibucity.org/agendacenter>. Related documents are available for review at City Hall during regular business hours. An approved permit shall not become effective until completion of the Planning Commission reporting.

**LOCAL APPEAL** - A decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission. Should a decision be issued on August 29, 2023, the appeal period would expire on Friday, September 8, 2023 at 4:30 p.m. Appeal forms may be found online at [www.malibucity.org/planningforms](http://www.malibucity.org/planningforms) or in person at City Hall, or by calling (310) 456-2489, extension 246.

RICHARD MOLLICA, Planning Director

Date: August 24, 2023



City Of Malibu  
23825 Stuart Ranch Road  
Malibu, CA 90265  
Phone (310) 456-2489  
www.malibucity.org

**PLANNING DEPARTMENT  
NOTICE OF APPLICATION**



Insert Mailmerge Fields here

**NOTICE OF APPLICATION**

NOTICE IS HEREBY GIVEN that the City of Malibu has received an application for the project described below:

**ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. 22-026 AND OVER-THE-COUNTER NO. 22-158** - An application to install a new water well for future domestic, irrigation, and fire protection uses on a vacant parcel

**LOCATION / APN / ZONING:** 28462 Via Acero St / 4467-033-019 / Rural Residential-Five Acre (RR-5)  
**APPLICANT / OWNER:** Jagora LLC  
**APPEALABLE TO:** Planning Commission  
**ENVIRONMENTAL REVIEW:** Categorical Exemption CEQA Guidelines Section 15303(d)  
**APPLICATION FILED:** May 26, 2022  
**CASE PLANNER:** Raneika Brooks, Senior Planner, rbrooks@malibucity.org  
(310) 456-2489, ext. 276

**PUBLIC COMMENT PERIOD** - Related documents are available for review at City Hall during regular business hours. Written comments, concerns, or questions may be presented to the Planning Department at any time prior to the issuance of a decision. On or after August 29, 2023, the Planning Director may issue a decision on the permit application. A Notice of Decision will be mailed to owners and residents within 500 feet of the perimeter of the subject property and to those who request such notification in writing prior to issuance of the decision.

**REPORTING** - The Planning Director's decision on this permit application is tentatively scheduled to be reported to the Planning Commission at its regular meeting on September 5, 2023. Copies of the agenda report, including the approved or denied permit, will be available at or before the meeting, typically 10 days before the meeting in the Agenda Center: <http://www.malibucity.org/agendacenter>. Related documents are available for review at City Hall during regular business hours. An approved permit shall not become effective until completion of the Planning Commission reporting.

**LOCAL APPEAL** - A decision or any portion of the decision made by the Planning Director may be appealed to the Planning Commission. Should a decision be issued on August 29, 2023, the appeal period would expire on Friday, September 8, 2023 at 4:30 p.m. Appeal forms may be found online at [www.malibucity.org/planningforms](http://www.malibucity.org/planningforms) or in person at City Hall, or by calling (310) 456-2489, extension 246.

RICHARD MOLLICA, Planning Director

Date: August 10, 2023